

## PATENT COOPERATION TREATY

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**INTERNATIONAL PRELIMINARY EXAMINATION REPORT**  
(PCT Article 36 and Rule 70)

07 JUL 2005

Applicant's or agent's file reference 027830-3947	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US 03/00419	International filing date (day/month/year) 07.01.2003	Priority date (day/month/year) 07.01.2003
International Patent Classification (IPC) or both national classification and IPC B60R13/02		
Applicant JOHNSON CONTROLS TECHNOLOGY COMPANY et al.		

<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of sheets.</p>
<p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> <li>I <input checked="" type="checkbox"/> Basis of the opinion</li> <li>II <input type="checkbox"/> Priority</li> <li>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</li> <li>IV <input type="checkbox"/> Lack of unity of invention</li> <li>V <input checked="" type="checkbox"/> Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</li> <li>VI <input type="checkbox"/> Certain documents cited</li> <li>VII <input type="checkbox"/> Certain defects in the international application</li> <li>VIII <input type="checkbox"/> Certain observations on the international application</li> </ul>

Date of submission of the demand 05.08.2004	Date of completion of this report 01.06.2005
Name and mailing address of the international preliminary examining authority:   European Patent Office - Gitschner Str. 103 D-10958 Berlin Tel. +49 30 25901 - 0 Fax: +49 30 25901 - 840	Authorized Officer  Petersson, M Telephone No. +49 30 25901-518



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EXAMINATION REPORT**

International application No. PCT/US 03/00419

**I. Basis of the report**

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

**Description, Pages**

1-12 as originally filed

**Claims, Numbers**

1-23 as originally filed

**Drawings, Sheets**

1/3-3/3 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- the language of publication of the international application (under Rule 48.3(b)).
- the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- contained in the international application in written form.
- filed together with the international application in computer readable form.
- furnished subsequently to this Authority in written form.
- furnished subsequently to this Authority in computer readable form.
- The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- the description, pages:
- the claims, Nos.:
- the drawings, sheets:

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5.  This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes: Claims	2,3,5-8,12,13,16-20,22,23
	No: Claims	1,4,9-11,14,15,21
Inventive step (IS)	Yes: Claims	2,3,5-8,12,13,16-20,22,23
	No: Claims	1,4,9-11,14,15,21
Industrial applicability (IA)	Yes: Claims	1-23
	No: Claims	

2. Citations and explanations

**see separate sheet**

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**Re Item V.**

**Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

Reference is made to the following documents:

D1: EP495712 A1

1.1 EP495712 A1 is regarded as being the closest prior art and discloses (see col.9, line 48-col.10, line 17; col.11, first paragraph):

A vehicle door assembly comprising:

a substrate (48) having an aperture (30) extending through the substrate (49);

a handle mounted to the substrate (25); and

a compressible surface (33,46) coupled to the substrate (25) and extending in close proximity to the aperture (49) between the substrate (25) and the interior of the vehicle

The subject matter of claim 1 differs from this prior art that an handle (24) extends through the aperture (60) and the substrate (18) so that the compressible surface (25,35) coupled to the substrate and extending in close proximity to the aperture is located between the substrate and the handle

The problem to solve is seen as: Saving manufacturing costs without weakening the door assembly and with maintained or increased aesthetic appearance. Cutting hole(s) in a door panel for components may weaken the integrity of the foam and reduce the strength of the panel.

Product claim 16 and method claim 22 solves this problem with a injection moulding process for the manufacturing of a door panel with an aperture and a handle mounted through the aperture which also thereby reinforces the panel itself and allows weaker material to be used as a substrate.

1.2 Claims 17-20 and 23 are dependent upon claim 16 and 22 and thereby fulfills the criteria of PCT regarding novelty and inventive step, Article 33(2-3)

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1.3 Claims 1-23 are industrial applicable, Article 33(4)

2.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 1,10 and 21 is not new in the sense of Article 33(2) PCT.

The document D1 discloses (the references in parentheses applying to this document):  
A panel, and a method for manufacturing the same, for use In an assembly having a mounted component, the panel comprising:

a substrate (48) having an aperture (30) extending through the substrate (48) and a first capping portion (fig.6, the elevated portion of 48 supporting the component (40) and in contact with 50) at least partially about the aperture (30), wherein the aperture (30) is configured to receive the mounted component (40);  
a skin (46) having a second capping portion (34,50) at least partially about the aperture (30); and

at least one compressible layer (33), injection moulded (see col.9, line 48 - col.10, line 17), between the substrate (48) and the skin (46), wherein the first capping portion and second capping portion cooperatively engage one another (fig.6) to close off the at least one compressible layer (33) let of component 40) between the substrate (48) and the skin (46).

2.2 D1 discloses further:

A panel wherein the at least one compressible layer (33) includes a foam layer injection moulded between the substrate (48) and the skin (46; see also col.9, last paragraph - col.10-col.10, first paragraph; claim 5; figure 3) and

wherein the first capping portion (fig.6, the elevated portion of (48) supporting the component (40) and in contact with 50) and the second capping portion (34,50) at least partially overlap one another between the substrate (48) and the skin (46) and

wherein the component (40) is mounted to the substrate (48)

The subject matter of the dependent claims 4,9,11,14 and 15 is therefore not new in the sense of Article 33(2) PCT.